

**EXHIBIT A**

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<p>1 S. Herrmann</p> <p>2 club directors.</p> <p>3 Q So how does that shake out at the end,</p> <p>4 does one of them -- is one person responsible</p> <p>5 for all of the upper east side locations, for</p> <p>6 example?</p> <p>7 A Yes.</p> <p>8 Q And what about midtown?</p> <p>9 A Yes, so the -- how the region is split</p> <p>10 up is kind of in those quadrants, like an</p> <p>11 upper west side, midtown, a downtown, an upper</p> <p>12 east side, but that is a very large</p> <p>13 simplification of it.</p> <p>14 Q Is there some other structure that</p> <p>15 Equinox employees tend to use when talking</p> <p>16 amongst yourselves, for example?</p> <p>17 A No. We refer to it as we align with the</p> <p>18 club director or operations structure is how</p> <p>19 the people services team in New York City is</p> <p>20 set up.</p> <p>21 Q How does 92nd Street fit into the</p> <p>22 operations structure?</p> <p>23 A East 92nd Street is part of the upper</p> <p>24 east side region.</p> <p>25 Q Okay. What other branches are included</p>	<p>1 S. Herrmann</p> <p>2 Q The area managers, are they people</p> <p>3 services or more general?</p> <p>4 A The area managers that report in to me</p> <p>5 are people services or HR professionals.</p> <p>6 Q Okay. So who -- do they field HR issues</p> <p>7 directly or do they have direct reports in HR</p> <p>8 and people services?</p> <p>9 A They do not have direct reports.</p> <p>10 Q So the area manager and -- if I was an</p> <p>11 employee at an Equinox branch and I had an HR</p> <p>12 issue, was there anyone else who I would have</p> <p>13 as a resource or as a point of contact other</p> <p>14 than the area manager and you, their</p> <p>15 supervisor?</p> <p>16 A We have an ethics hotline, or as an</p> <p>17 employee, you would have your direct</p> <p>18 supervisor, your general manager, but from HR</p> <p>19 perspective, an area manager, myself,</p> <p>20 corporate HR team or an ethics hotline would</p> <p>21 be avenues that employees could pursue.</p> <p>22 Q Where is the -- what is the corporate</p> <p>23 HR?</p> <p>24 A That would be Matthew Herbert, so he</p> <p>25 would be an individual that could potentially</p>
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<p>1 S. Herrmann</p> <p>2 in the upper east side region?</p> <p>3 A East 92nd Street, East 85th Street,</p> <p>4 East 63rd Street, East 61st Street, East 74th</p> <p>5 Street, E Madison and East 54th Street.</p> <p>6 Q What -- so Kwan -- okay. I'll come back</p> <p>7 to that.</p> <p>8 Other than the two area managers, did</p> <p>9 you currently have any other direct reports?</p> <p>10 A Paul Kwan also reports in to me at this</p> <p>11 time.</p> <p>12 Q And what's his new title?</p> <p>13 A Regional director.</p> <p>14 Q So is that for what region?</p> <p>15 A The northeast region.</p> <p>16 Q Kwan and then the two area managers.</p> <p>17 Anyone else?</p> <p>18 A No.</p> <p>19 Q When you were -- before your recent</p> <p>20 promotion, was it just the two area managers</p> <p>21 that reported to you?</p> <p>22 A Yes.</p> <p>23 Q How many people -- who's one level below</p> <p>24 the area managers?</p> <p>25 A From a people services perspective?</p>	<p>1 S. Herrmann</p> <p>2 field employee concerns.</p> <p>3 Q When -- what are the circumstances under</p> <p>4 which a complaint would get escalated from you</p> <p>5 to Mr. Herbert?</p> <p>6 A If an employee contacted him directly.</p> <p>7 Q Were employees encouraged to contact you</p> <p>8 instead of him?</p> <p>9 A I don't -- wouldn't say that anybody was</p> <p>10 encouraged. We --</p> <p>11 Q Was that -- sorry.</p> <p>12 A That's okay. I'm sorry, you can go.</p> <p>13 Q No, no, no. I interrupted you.</p> <p>14 A We simply have this structure in place</p> <p>15 which employees use, but there wasn't</p> <p>16 encouragement or any directive of who</p> <p>17 employees are expected to go to. We just make</p> <p>18 sure they're aware of the resources available.</p> <p>19 Q Was -- did most complaints come to</p> <p>20 you -- or do most complaints come to you as</p> <p>21 opposed to directly Mr. Herbert?</p> <p>22 MR. ZOLDESSY: Objection to</p> <p>23 form. You can answer.</p> <p>24 A Specific to New York City or my region,</p> <p>25 I assume you're asking, in terms of scope of</p>

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<p>1 S. Herrmann</p> <p>2 A I don't know.</p> <p>3 Q Did you have any conversations with</p> <p>4 Ms. McGeary directly or any communications</p> <p>5 about Maltman?</p> <p>6 A I can't recall if the concern was raised</p> <p>7 with Robynn or from Sabrina. I believe that I</p> <p>8 had at least some communication with Sabrina</p> <p>9 directly, but I can't recall specifically.</p> <p>10 Q Are you aware of any conversations that</p> <p>11 Sabrina had with anyone else or any</p> <p>12 communications that she had with anyone else,</p> <p>13 other than Robynn, perhaps?</p> <p>14 A No, not that I know of.</p> <p>15 Q Now, when we were discussing Robynn's</p> <p>16 scheduling accommodations earlier, you</p> <p>17 testified that you might have spoken with Adam</p> <p>18 Gecht about those scheduling issues; is that</p> <p>19 right?</p> <p>20 A Yeah, he may have been aware of</p> <p>21 working -- as we worked through the</p> <p>22 accommodation process, but -- so I imagine he</p> <p>23 was aware, I believe.</p> <p>24 Q What was his -- tell me -- let's talk</p> <p>25 about the accommodation process generally.</p>	<p>1 S. Herrmann</p> <p>2 Q What's the nature of Gecht's involvement</p> <p>3 in this process?</p> <p>4 A He likely would have just been made</p> <p>5 aware of any proposed accommodation that, as</p> <p>6 the people's representative, I would have</p> <p>7 presented to the business.</p> <p>8 Q Why would he have been made aware?</p> <p>9 A It would be normal to include the</p> <p>10 general manager and the regional director</p> <p>11 overseeing that, of some type of schedule</p> <p>12 accommodation associated with a manager level</p> <p>13 position.</p> <p>14 Q What was Gecht's involvement in general</p> <p>15 with respect to the manager level employees?</p> <p>16 A In his role, he was responsible for the</p> <p>17 general oversight and operations of day-to-day</p> <p>18 responsibilities of the upper east side</p> <p>19 region.</p> <p>20 Q And the upper east side region, is that</p> <p>21 the branches you listed earlier, East 92nd,</p> <p>22 East 85th, East 63rd, East 61st, East 74th,</p> <p>23 East Madison, East 54th?</p> <p>24 A That's the current upper east side</p> <p>25 region, but those were not the locations that</p>
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<p>1 S. Herrmann</p> <p>2 Are there policies and procedures in place for</p> <p>3 when an employee requests an accommodation?</p> <p>4 A Yeah, so we of course will always look</p> <p>5 to engage in an accommodation process and look</p> <p>6 to provide a reasonable accommodation to an</p> <p>7 employee whenever possible.</p> <p>8 Q Who is responsible for engaging in that</p> <p>9 dialogue?</p> <p>10 A It is often the people services</p> <p>11 representative that supports the location that</p> <p>12 would participate in an accommodation related</p> <p>13 conversation.</p> <p>14 Q So with respect to East 92nd Street, who</p> <p>15 is the people services rep that would be --</p> <p>16 who would be the people services rep that</p> <p>17 would handle this dialogue for each 92nd</p> <p>18 Street?</p> <p>19 A Currently?</p> <p>20 Q Let's start with currently.</p> <p>21 A Infinite Sumlin.</p> <p>22 Q Okay. And previously -- what about in</p> <p>23 2019?</p> <p>24 A It was me for a portion of 2019 and Paul</p> <p>25 Kwan after he stepped into his role.</p>	<p>1 S. Herrmann</p> <p>2 were considered that region at the time that</p> <p>3 Mr. Gecht was the regional director.</p> <p>4 Q What's the -- what is the change?</p> <p>5 A At the time there have been additional</p> <p>6 locations added to that region since.</p> <p>7 Q Okay. The list I just recited was</p> <p>8 accurate in 2019?</p> <p>9 A No.</p> <p>10 Q The list is accurate as of today?</p> <p>11 A Yes.</p> <p>12 Q And in 2019, it was smaller?</p> <p>13 A Yes.</p> <p>14 Q Which locations have been added since</p> <p>15 2019?</p> <p>16 A East 54th Street and E Madison.</p> <p>17 Q Do you know whether anyone opened an</p> <p>18 investigation into the Sabrina McGeary</p> <p>19 complaints about Maltman?</p> <p>20 A Yes, I believe I was the people services</p> <p>21 partner that supported that investigation.</p> <p>22 Q In the interrogatories which maybe we</p> <p>23 want to -- no, I don't need to make it an</p> <p>24 exhibit. There's a list that we received of</p> <p>25 current or former Equinox employees of the</p>

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<p style="text-align: right;">Page 149</p> <p>1 S. Herrmann</p> <p>2 A I don't know if I would say typically,</p> <p>3 but this is a normal interaction that would</p> <p>4 transpire between a general manager and myself</p> <p>5 as a people services partner.</p> <p>6 Q Do you have any recollection of any</p> <p>7 other such complaints or feedback --</p> <p>8 withdrawn.</p> <p>9 What -- was it also normal for -- you</p> <p>10 said it was normal for Jose to send you an</p> <p>11 e-mail like this. Was it also normal to loop</p> <p>12 in Avellan and Gecht?</p> <p>13 A Yeah, I think. I think that's normal,</p> <p>14 yes.</p> <p>15 Q What was Avellan's role typically in</p> <p>16 dealing with this type of employee issue?</p> <p>17 A He was the regional PT manager, so he</p> <p>18 provided business specific direction to the PT</p> <p>19 department, so it would be relevant for him to</p> <p>20 be aware of potential performance or</p> <p>21 attendance challenges with an individual that</p> <p>22 fell within the department he supported.</p> <p>23 Q Would Avellan be interested -- is it</p> <p>24 fair to say that his responsibility was to</p> <p>25 oversee issues relating to profitability or,</p>	<p style="text-align: right;">Page 151</p> <p>1 S. Herrmann</p> <p>2 issue -- on a potential termination decision?</p> <p>3 A I think that is a normal practice for a</p> <p>4 general manager to discuss that with their</p> <p>5 supervisor.</p> <p>6 Q And what about Mr. Avellan, would it be</p> <p>7 customary for Taveras to discuss Europe's</p> <p>8 future with Equinox with Rob Avellan?</p> <p>9 A Yes, I believe that would also be</p> <p>10 appropriate.</p> <p>11 Q Is it your understanding that any</p> <p>12 factors other than attendance issues factored</p> <p>13 into the termination decision?</p> <p>14 A No, my understanding is that it was</p> <p>15 related to time and attendance.</p> <p>16 Q And only that?</p> <p>17 A That is my understanding, yes.</p> <p>18 Q Is there a schedule issued regularly</p> <p>19 that shows managers schedules at each Equinox</p> <p>20 location?</p> <p>21 A Currently we use a system called ARCON</p> <p>22 that houses employee schedules, and manager</p> <p>23 schedules would be included in that system.</p> <p>24 Q Do you, as a matter of course, review</p> <p>25 the schedules housed in ARCON?</p>
<p style="text-align: right;">Page 150</p> <p>1 S. Herrmann</p> <p>2 you know, customer retention?</p> <p>3 A I'm not sure. I think the easiest way</p> <p>4 for me to explain it is he's the business</p> <p>5 expert in terms of understanding and helping</p> <p>6 drive revenue and business specific to</p> <p>7 personal training.</p> <p>8 Q So would Avellan have any reason to</p> <p>9 become involved in an issue over lateness if</p> <p>10 it wasn't impacting revenues?</p> <p>11 A Yes, I do think as the regional manager,</p> <p>12 it would be important for him to be aware of</p> <p>13 any type of performance challenge that may be</p> <p>14 happening with an individual in the PT</p> <p>15 department in the facilities that he oversaw.</p> <p>16 Q Okay. And what about Mr. Gecht?</p> <p>17 A Similarly, understanding that Mr. Gecht</p> <p>18 was overseeing the general operations of all</p> <p>19 of the facilities on the upper east side, it</p> <p>20 would be appropriate and important for him to</p> <p>21 also be aware of any challenges that may be</p> <p>22 happening with a manager within one of his</p> <p>23 facilities.</p> <p>24 Q Would it be customary and typical for</p> <p>25 Mr. Gecht to be consulted on a termination</p>	<p style="text-align: right;">Page 152</p> <p>1 S. Herrmann</p> <p>2 A Not typically.</p> <p>3 MS. CRUMILLER: We'll call for</p> <p>4 the production of all the -- I know</p> <p>5 we called for it before but call</p> <p>6 again for the production of all of</p> <p>7 the scheduling data included in ARCON</p> <p>8 and in MOSO.</p> <p>9 REQUEST NOTED:</p> <p>10 (Whereupon, an off-the-record</p> <p>11 discussion was held.)</p> <p>12 MR. ZOLDESSY: To clarify, the</p> <p>13 documentation produced last week with</p> <p>14 the check-in data, that was the MOSO</p> <p>15 check-in data for the managers at</p> <p>16 East 92nd Street.</p> <p>17 MS. CRUMILLER: That included</p> <p>18 all managers at that location for the</p> <p>19 relevant period?</p> <p>20 MR. ZOLDESSY: During the time</p> <p>21 period we agreed to, that was the</p> <p>22 check-in data for the people who were</p> <p>23 on the list. I understand the</p> <p>24 outstanding request about the</p> <p>25 schedules, I'm not sure if ARCON was</p>

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